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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

LOUIS AND SILVIA MARTINEZ, on
 behalf of themselves and all other similarly
 situated,

Plaintiffs,

vs.

FIDELITY NATIONAL FINANCIAL,
 INC., FIDELITY NATIONAL TITLE
 INSURANCE COMPANY, TICOR TITLE
 INSURANCE COMPANY, TICOR TITLE
 INSURANCE COMPANY OF FLORIDA,
 CHICAGO TITLE INSURANCE
 COMPANY, NATIONAL TITLE
 INSURANCE OF NEW YORK, INC.,
 SECURITY UNION TITLE INSURANCE
 COMPANY, THE FIRST AMERICAN
 CORPORATION, FIRST AMERICAN
 TITLE INSURANCE COMPANY,
 UNITED GENERAL TITLE INSURANCE
 COMPANY, LANDAMERICA
 FINANCIAL GROUP, INC.,
 COMMONWEALTH LAND TITLE
 INSURANCE COMPANY, LAWYERS
 TITLE INSURANCE CORPORATION,
 TRANSNATION TITLE INSURANCE
 COMPANY, STEWART TITLE
 GUARANTY COMPANY and STEWART
 TITLE INSURANCE COMPANY

Defendants.

Case No.: 08-cv-00499-L-WMC

DECLARATION OF JOHN L.
 HAEUSSLER IN SUPPORT OF
 PLAINTIFFS' UNOPPOSED MOTION TO
 TRANSFER VENUE

SPECIAL BRIEFING SCHEDULE
 ORDERED

ORAL ARGUMENT NOT REQUIRED

1 I, John L. Haeussler, declare as follows:

2 1. I am an attorney duly licensed by the State of California and am admitted to
3 practice before this Court. I am an associate of Barrack, Rodos & Bacine, attorneys of record for
4 plaintiffs Louis and Silvia Martinez. I make this declaration pursuant to 28 U.S.C. §1746. The
5 matters set forth herein are within my personal knowledge, and if called and sworn as a witness
6 I could competently testify regarding them.

7 2. I have spoken to and have had email communications with attorneys of
8 Greenberg Traurig, LLP, who have represented they are authorized to speak for all defendants
9 regarding their non-opposition to the accompanying motion to transfer and that defendants do
10 not oppose transfer of this action to the Northern District of California as sought in the
11 accompanying transfer Motion.

12 3. Attached hereto as Exhibit A is the order by Judge White consolidating this
13 action with *In Re California Title Insurance Antitrust Litigation*, Case No. 08-1341-JSW, upon
14 transfer to the Northern District of California.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed this 11th day of August, 2008, at San Diego, California.

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By: /s/ John L. Haeussler
JOHN L. HAEUSSLER

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EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LYNN BARTON, On Behalf of Herself and all)
Others Similarly Situated,)
)
Plaintiff,)

No. 08-cv-1341 JSW
No. 08-cv-1374 JSW
No. 08-cv-1928 MEJ
No. 08-cv-3391 JSW

v.)

**~~PROPOSED~~ ORDER GRANTING
UNOPPOSED MOTION TO
CONSOLIDATE RELATED
ACTIONS FOR ALL PURPOSES**

FIDELITY NATIONAL FINANCIAL, INC.,)
FIDELITY NATIONAL TITLE INSURANCE)
COMPANY, TICOR TITLE INSURANCE)
COMPANY, TICOR TITLE INSURANCE)
COMPANY OF FLORIDA, CHICAGO TITLE)
INSURANCE COMPANY, NATIONAL TITLE)
INSURANCE OF NEW YORK, INC.,)
SECURITY UNION TITLE INSURANCE)
COMPANY, THE FIRST AMERICAN)
CORPORATION, FIRST AMERICAN TITLE)
INSURANCE COMPANY, UNITED)
GENERAL TITLE INSURANCE COMPANY,)
LANDAMERICA FINANCIAL GROUP, INC.,)
COMMONWEALTH LAND TITLE)
INSURANCE COMPANY, LAWYERS TITLE)
INSURANCE CORPORATION,)
TRANSNATION TITLE INSURANCE)
COMPANY, STEWART TITLE GUARANTY)
COMPANY and STEWART TITLE)
INSURANCE COMPANY,)

Defendants.)

ACTION FILED: March 10, 2008

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The Court, having considered the papers filed in support of the motion by the parties in the above-captioned cases to consolidate these actions, and, for good cause shown, hereby enters the following Order:

1. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the following related actions are to be consolidated for all purposes, including, but not limited to, discovery and all pretrial and trial proceedings:

ABBREVIATED CASE NAME	CASE NO.	DATE FILED
<i>Barton v. Fidelity National Financial, Inc. et al.</i>	08-1341-JSW	03/10/08
<i>Gentilcore v. Fidelity National Financial, Inc. et al.</i>	08-1374-JSW	03/11/08
<i>Blackwell v. Fidelity National Financial, Inc. et al.</i>	08-1928-MEJ	4/11/08
<i>Romero v. Fidelity National Financial, Inc. et al.</i>	08-3391-JSW	7/14/08

2. A Master Docket and a Master File are hereby established for the consolidated actions.

3. The following actions, now pending in other districts within California shall be consolidated for all purposes, including, but not limited to, discovery and all pretrial and trial proceedings, upon the transfer of such cases to this District:

ABBREVIATED CASE NAME	CASE NO.	DATE FILED
<i>Martinez v. Fidelity National Financial, Inc. et al.</i>	08-0499-MJL (S.D. Cal.)	03/18/08
<i>Davis v. Fidelity National Financial, Inc. et al.</i>	08-1897-DSF (C.D. Cal.)	03/20/08
<i>Kothari v. Fidelity National Financial, Inc. et al.</i>	08-0440-DSF (C.D. Cal.)	4/23/08
<i>Magana v. Fidelity National Financial, Inc. et al.</i>	08-0591-DSF (C.D. Cal.)	5/28/08
<i>Moynahan v. Fidelity National Financial, Inc. et al.</i>	08-0620-AHS (C.D. Cal.)	6/04/08

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4. The consolidated actions shall be identified as *In re California Title Insurance Antitrust Litigation*, Civil Action No. 08-CV-1341-JSW. Any other actions now pending or later filed in or transferred into this District that arise out of the same facts and claims alleged in the related actions shall be consolidated for all purposes, if and when they are brought to the Court's attention.

5. Every pleading filed in these consolidated actions, or in any separate action included herein, shall bear the following caption:

In re CALIFORNIA TITLE INSURANCE ANTITRUST LITIGATION	File No: 08-CV-1341-JSW
THIS DOCUMENT RELATES TO:	<u>CLASS ACTION</u>

6. When a pleading is intended to be applicable to all actions governed by this Order, the words "All Actions" shall appear immediately after the words "This Document Relates To:" in the caption set out above.

7. When a pleading is intended to be applicable only to some, but not all, of the consolidated actions, the Court's docket number for each individual action to which the pleading is intended to be applicable and the last name of the first-named plaintiff in the action shall appear immediately after the words "This Document Relates To:" in the caption set out above.

8. When a document is filed and the caption shows that it is to be applicable to less than all of the consolidated actions, the clerk shall file the document in the Master File, and shall note the filing in both the Master Docket and the docket of each applicable action.

9. When a case related to the subject matter of the consolidated actions is filed in this Court or transferred to this Court from another court, the clerk of this Court shall:

- a. Place a copy of this Order in the separate file for such action, after notification to counsel, who shall mail to the attorneys for the plaintiffs in the newly-filed or transferred case a copy of this Order and direct that this

1 Order be served upon or mailed to any new defendants in the newly-filed or
2 transferred case; and

- 3 b. Make an appropriate entry on the Master Docket. This Court requests the
4 assistance of counsel in calling the attention of the clerk of this Court to the
5 filing or transfer of any new case which may properly be consolidated as
6 part of *In re California Title Insurance Antitrust Litigation*.

7 10. California Plaintiffs shall file a Consolidated Complaint within thirty (30) days of
8 the later of appointment of Interim Class Counsel or receipt in this District of the last case set forth
9 as related in this litigation. Defendants' answer or other responsive pleadings are due forty-five
10 (45) days following the filing of the Consolidated Complaint. The deadline set forth in this Court's
11 Initial Scheduling Order for the Rule 26(f) conference is extended until ten (10) days following the
12 filing of Defendants' Answers, or in the event Defendants file motions to dismiss, 10 days after the
13 Court's ruling on those motions, with corresponding extensions of the additional deadlines set forth
14 in the Initial Scheduling Order.

15 ORDERED this 24th day of July, 2008.

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The Honorable Jeffrey S. White
United States District Court Judge

18 DATE: July 23, 2008

19 Submitted by:

20 HAGENS BERMAN SOBOL SHAPIRO LLP

21
22 By /s/ Reed R. Kathrein
23 REED R. KATHREIN

24 Jeff D. Friedman (173886)
25 715 Hearst Avenue, Suite 202
26 Berkeley, CA 94710
27 Telephone: (510) 725-3000
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reed@hbsslw.com

28 Attorneys for Plaintiffs Barton and Gentilcore

1 **CERTIFICATE OF SERVICE**

2 *Martinez v. Fidelity, et al.*
 3 Case No.: 08-cv-00499-L-WMC

4 I, the undersigned, state that I am employed in the City and County of San Diego, State
 5 of California; that I am over the age of eighteen (18) years and not a party to the within action;
 6 that I am employed at Barrack, Rodos & Bacine, One America Plaza, 600 West Broadway,
 Suite 900, San Diego, California 92101; and that on August 11, 2008, I served true copies of the
 attached:

7 **DECLARATION OF JOHN L. HAEUSSLER IN SUPPORT OF**
 8 **PLAINTIFFS' UNOPPOSED MOTION TO TRANSFER VENUE**

9 to the parties listed on the attached Service List by the following means of service:

- 10 ☒ **BY E-FILE:** I electronically filed the foregoing with the Clerk of the Court using the
 CM/ECF system.
- 11 ☒ **BY E-MAIL:** I e-mailed a true copy addressed as indicated in the attached Service List,
 12 on the above-mentioned date.
- 13 ☐ **BY MAIL:** I placed true copies in a sealed envelope with postage thereon fully
 14 prepaid and addressed to the parties listed on the attached Service List, on the above-
 15 mentioned date. I am familiar with the firm's practice of collection and processing
 16 correspondence for mailing. It is deposited with the U.S. Postal Service on that same
 day in the ordinary course of business and there is a regular communication by mail
 between the place of mailing and the place so addressed.
- 17 ☒ **BY UPS:** I placed a true copy in a sealed envelope and addressed to the parties
 18 listed on the attached Service List, on the above-mentioned date. It was deposited with
 19 UPS on that same day in the ordinary course of business and there is a regular
 communication via UPS between the place of mailing and the place so addressed.

20 I declare under penalty of perjury under the laws of the State of California that the
 21 foregoing is true and correct. Executed this 11th day of August, 2008.

22 
 23 _____
 24 CINDY ORIHUELA

SERVICE LIST
California Title Insurance

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AMERICAN TITLE INSURANCE COMPANY,
and UNITED GENERAL TITLE INSURANCE
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